

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

RONALD JOHN CALZONE)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. _____
NANCY HAGAN, et. al)	
Commissioners and officers of the Missouri)	
Ethics Commission in their official capacities)	
thereof,)	
)	
Defendants.)	
_____)	

INDEX OF EXHIBITS

Exhibit

- Exhibit A: Complaint of Mr. Michael C. Reed, As Sent to Plaintiff Ron Calzone, Oct. 12, 2016, Exclusive of Exhibits

- Exhibit B: Complaint of Missouri Society of Governmental Consultants, Received by Missouri Ethics Commission, Nov. 4, 2014, Exclusive of Exhibits

- Exhibit C: Selected Pages of Transcript of Hearing Before Missouri Ethics Commission, Sept. 3, 2015

- Exhibit D: Missouri Ethics Commission Findings of Fact, Conclusions of Law, and Order, Sept. 11, 2015

- Exhibit E: Selected Pages of Transcript of Hearing Before Administrative Hearing Commission, Feb. 3, 2016

- Exhibit F: Judgment, *Calzone v. Admin. Hearing Comm'n*, Case No. 16AC-CC00155 (Mo. 19th Cir. Sept. 23, 2016)

Dated: October 21, 2016

Respectfully submitted,

A handwritten signature in black ink that reads "David Roland". The signature is written in a cursive style with a large, prominent "D" and "R".

David E. Roland Mo. Bar #60548
FREEDOM CENTER OF MISSOURI
P.O. Box 693
Mexico, MO 65265
Phone: (573) 567-0307
Fax: (573) 562-6122
Email: dave@mofreedom.org

Counsel for Plaintiff

EXHIBIT A



MISSOURI ETHICS COMMISSION

PO Box 1370
Jefferson City, MO 65102
www.mec.mo.gov
(573) 751-2020 / (800) 392-8660

James Klahr
Executive Director

October 12, 2016

Ron Calzone
33867 Highway E
Dixon MO 65459

Re: File No. 16-0106-I

Dear Mr. Calzone:

The Missouri Ethics Commission received the enclosed complaint filed against you. Missouri law states that within five days after the Commission receives the complaint, a copy of the complaint must be delivered to you.

Commission staff will begin an investigation into the allegations in the near future. A Commission investigator may contact you to obtain any facts and information you have about the complaint. If you wish to provide additional written information about the complaint before you are contacted, you may mail the information to the Commission. Please include the file number listed above. If you choose to have an attorney represent you, it will be necessary for the attorney to notify the Commission in writing.

Missouri law requires that the investigation remain confidential until the Commission takes a final action. If the Commission finds that no violation occurred, the complaint will generally be dismissed within 90 days of its receipt and the dismissal will become public. Both you and the Complainant will be notified of the dismissal at that time.

If the Commission makes an initial determination that a violation may have occurred, the Commission will refer the complaint to its Commission counsel for the filing of an administrative legal case.

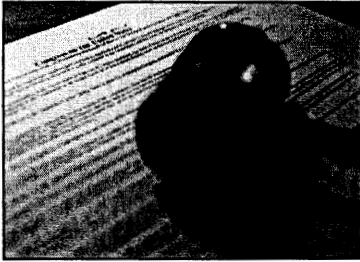
Enclosed is a *Complaint Fact Sheet* providing an overview of the complaint process. You can find additional information on the Commission's website at www.mec.mo.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James Klahr".

James Klahr
Executive Director

Enclosure



Complaints

Fact Sheet

Section 105.957 RSMo.

Filing a Complaint with the Missouri Ethics Commission

The Missouri Ethics Commission's jurisdiction includes investigating complaints of reporting and filing (disclosure) violations for campaign finance, financial interest, and lobbyists. In addition, the Missouri Ethics Commission investigates complaints about:

- ✓ Codes of Conduct adopted by a department, division, state agency, and state institutions of higher learning
- ✓ Conflict of Interest laws
- ✓ Order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees, including constitutional provisions or state statutes

To file a complaint, complete the *Official Complaint Form*. This form should contain all known facts, must be filed by a natural person, notarized, and mailed or delivered in person to the Missouri Ethics Commission.

Complaints Not Investigated by the Missouri Ethics Commission

The Missouri Ethics Commission may refuse to investigate any conduct that is the subject of civil or criminal litigation. The Missouri Ethics Commission cannot investigate complaints that:

- ✓ Refer to conduct occurring prior to the expiration of the statute of limitations for criminal conduct
- ✓ Are related to conduct occurring more than two years prior to the complaint date and are not criminal violations
- ✓ Alleges conduct by a candidate for public office, other than failure to timely or accurately file a personal financial disclosure statement or campaign finance disclosure report, or any other violation of the campaign finance law (Ch. 130 RSMo), from 60 days prior to the primary until after the general election
- ✓ Provides any allegation against a candidate or a candidate committee, within 15 days prior to the primary or general election in which the candidate is running for office

Complaint Notification

Within five days of receipt of a complaint, the Missouri Ethics Commission sends a copy of the complaint and the complainant's name to the person/entity that the complaint is brought against (respondent).



OFFICIAL COMPLAINT FORM

Missouri Ethics Commission
OCT 11 2016

Missouri Ethics Commission
PO Box 1370
Jefferson City, MO 65102-1370

Section 105.957, RSMo states that the Commission shall receive any complaints alleging violations of the provisions of:

- 1) The requirements imposed on lobbyists by section 105.470 to 105.478;
2) The financial interest disclosure requirements contained in sections 105.483 to 105.492;
3) The campaign finance disclosure requirements contained in chapter 130, RSMo;
4) Any code of conduct promulgated by any department, division or agency of state government, or by state institutions of higher education, or by executive order;
5) The conflict of interest laws contained in sections 105.450 to 105.467 and section 171.181, RSMo; and
6) The provisions of the constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions.

This complaint shall contain all the facts known to the person bringing the complaint that give rise to the complaint.

This complaint shall be sworn to under penalty of the crime of perjury.

Within 5 days of receipt of this complaint, the Commission will send a copy of this complaint, including the name of the person bringing this complaint, to the person, organization or campaign committee against whom the complaint is brought.

Note: According to Missouri State Law, the Commission shall dismiss any complaint which is frivolous in nature, as lacking any basis in fact or law. Any person who submits a frivolous complaint shall be liable for actual and compensatory damages to the alleged violator for holding the alleged violator before the public in a false light. A finding by the Commission that a complaint is frivolous or without probable cause shall be a public record.

THIS FORM MUST BE RETURNED BY MAIL OR HAND-DELIVERED. FAXED COPIES OR EMAILS WILL NOT BE ACCEPTED.

PART 1 - PERSON BRINGING COMPLAINT:

NAME: Michael C. Reid DATE OF COMPLAINT: September 30, 2016
ADDRESS: 200 Madison St., Ste. 320
CITY: Jefferson City STATE: MO COUNTY: cole ZIP: 65101
CONTACT PHONE NUMBER/S: (HOME) (WORK) 573-638-7501 (CELL)
TITLE OF OFFICE HELD OR SOUGHT (IF APPLICABLE): N/A

PART 2 - ORGANIZATION OR CAMPAIGN COMMITTEE AND INDIVIDUAL(S) OR POSITION(S) AGAINST WHOM

THIS COMPLAINT IS BEING BROUGHT AGAINST:

NAME: Ron Calzone
ADDRESS: 33867 Highway E
CITY: Dixon STATE: MO COUNTY: Maries ZIP: 65459
CONTACT PHONE NUMBER/S: (HOME) 573-759-7556 (WORK)
TITLE OF OFFICE HELD OR SOUGHT (IF APPLICABLE): N/A
DATE OF ELECTION (IF APPLICABLE): CHECK ELECTION TYPE (IF APPLICABLE):
Primary General

VERIFICATION BY OATH OR AFFIRMATION

STATE OF MISSOURI
COUNTY OF Cole

I, Michael Reid, being duly sworn upon oath and affirmation legally administered, certify under penalty of perjury that the foregoing information in this complaint is complete, true, and correct, to the best of my knowledge and belief.

Signature of Complainant

Subscribed and sworn to before me this 7 day of October, 2016 JENNIFER L. CLARK Notary Public - Notary Seal

My Commission Expires: May 25, 2018 My Commission Expires May 25, 2018 Commission #14977783

PART 3: STATEMENT OF FACTS

On Aug. 4, 2000, Ron Calzone incorporated Missouri First, Inc. as a Missouri Non-profit. (Exhibit A) Mr. Calzone has for 15 years presented himself as representing "Missouri First". He has served as President and /or Secretary/Member of the Board for all of those 15 years. (Exhibit B)

Although their website claims they are a not-for-profit and tax exempt (See exhibit C), no Federal 990 Tax Returns can be found.

According to their Charter (Exhibit D) their "Methods of Operation" state that "...legislative lobbying and citizen involvement may be used toinfluence public policy".

Since 2000, Mr. Calzone has continuously and consistently lobbied members of the Missouri General Assembly on issues relating to right to bear arms, common core standards, property rights, and privacy of records. Section 105.473.1 (RSMo.) states "Each lobbyist shall, no later than January fifth of each year or five days after beginning any activity as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under penalties of perjury, along with a filing fee of ten dollars, with the commission". Mr. Calzone has not filed such registration and therefore is in violation of the law.

He has engaged in numerous conversations with legislators including Rep. Doug Funderburk (3/26/2013), Rep. Kurt Bahr (3/27/2013), Sen. Ed Emery (4/10/2013), Rep. Mike Kelley (5/2/2013), Sen. Jay Wasson (5/14/2013), Sen. Ed Emery (3/31/2014) (2/11/2015), Sen. Brian Nieves, Sen. Jim Lembke, Sen. Will Kraus, and Sen. Kurt Schaefer. In addition he presented collectively to the House Republican Caucus on Sept. 10, 2013.

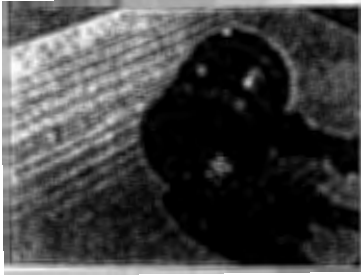
For several years, Mr. Calzone has constantly worked out of the offices of Sen. Brian Nieves using them as his own "office" in the Capitol.

Mr. Calzone has repeatedly appeared before numerous House and Senate committees over the last 15 years in support of or in opposition to many bills relating to the issues listed above. In addition to his personal appearances before committees, Mr. Calzone solicits witness forms from supporters with the expressed purpose of personally delivering them to the committee members. On February 11, 2015 he delivered 297 witness forms on behalf of Missouri First members/supporters to the Senate Transportation, Infrastructure and Public Safety Committee. (See Missouri First website pages –Exhibit E)

When testifying he consistently identifies himself as a director of Missouri First, and then declares that he is not a registered lobbyist, and doesn't need to be because he does not get paid.

Because of these activities over the past 15 years, where Mr. Calzone has designated himself to act on behalf of Missouri First, the organization he created, he meets the definition of "legislative Lobbyist" as defined in 105.470 (4)(c) and has for 15 years failed to register as a Lobbyist as required by 105.473. Further section 105.473 .3(1) (RSMo) states the "During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month." Failure to file such reports subjects the individual to a ten dollar a day late fee. Mr. Calzone has failed to file a monthly lobbyist report for over fifteen years.

EXHIBIT B



Complaints

Fact Sheet (§105.957 RSMo.)

Filing a Complaint with the Missouri Ethics Commission

The Missouri Ethics Commission's jurisdiction includes investigating complaints of reporting and filing (disclosure) violations for campaign finance, financial interest, and lobbyists. In addition, the Missouri Ethics Commission investigates complaints about:

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- ✓ Alleges conduct by a candidate for public office, other than failure to file a personal financial disclosure statement or campaign finance disclosure report, from 60 days prior to the primary until after the general election
- ✓ Provides any allegation against a candidate or a candidate committee, within 15 days prior to the primary or general election in which the candidate is running for office

Complaint Notification

Within five days of receipt of a complaint, the Missouri Ethics Commission sends a copy of the complaint and the complainant's name to the person/entity that the complaint is brought against (respondent). The statute requires that any Missouri Ethics Commission's investigation and hearing held related to a complaint remains closed. The final disposition of the complaint is made public.

Complaint Process

The Missouri Ethics Commission, after notification to the person(s) being investigated and the complainant, assigns an investigator to the case, and conducts an investigation. The Missouri Ethics Commission takes one of the following steps:

- ✓ Dismisses the case if reasonable grounds are not found that a violation occurred *or*
- ✓ Refers the case to the Missouri Ethics Commission's general counsel in preparation of a hearing, when reasonable grounds are found that a violation occurred *or*
- ✓ Refers the case to a prosecuting attorney for violations of criminal law

The Missouri Ethics Commission conducts hearings for cases referred to the Commission's general counsel or enters into a joint stipulation with the parties involved. The hearings are required, by Missouri law, to be closed.

Complaint Confidentiality

Missouri law provides that investigations are strictly confidential and that the Missouri Ethics Commission cannot confirm whether an investigation is being conducted. The Missouri Ethics Commission's final action regarding an investigation is made public on their website, www.mec.mo.gov, Commission Actions. The final action provides the case #, name of the respondent (person(s) investigated), county respondent resides in, Missouri state statute reference, and the final action. The Missouri Ethics Commission's final order regarding an investigation can also be made available to the public, upon written request.

Frivolous Complaints

The Missouri Ethics Commission must dismiss any complaint which it finds to be frivolous in nature, which is lacking basis in fact or law. Any person submitting a frivolous complaint shall be held liable for actual and compensatory damages to the alleged violator. A finding by the Missouri Ethics Commission that a complaint is frivolous becomes public record.

This document is intended only as a guide to aid in understanding the duties and responsibilities of the Missouri Ethics Commission. For the Law's complete requirements, consult the law itself, codified at Chapter 105 and 130 of the Revised Statutes of Missouri.

Carver & Michael

Gaylin Rich Carver
gaylin@carvermichael.net

712 East Capitol Avenue
Jefferson City, MO 65101

Sara C. Michael
sara@carvermichael.net

Michael A. Dallmeyer
mike@carvermichael.net

573-636-1215 (telephone)
573-634-3008 (facsimile)

Georganne Wheeler Nixon, P.C.
georganne@carvermichael.net

November 4, 2014

Missouri Ethics Commission
PO Box 1370
Jefferson City, MO 65102-1370

MISSOURI ETHICS COMMISSION

NOV 04 2014

HAND DELIVERED

Re: Complaint

Dear Sir or Madame:

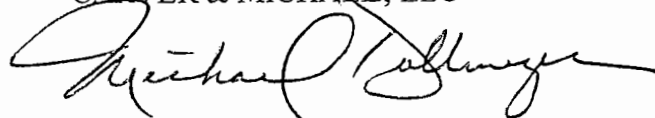
Enclosed herewith for filing and action by MEC is the complaint, along with supporting Exhibits A-E, against Ron Calzone for violating the requirements imposed on lobbyists by Missouri law that I am submitting on behalf of our client, Missouri Society of Governmental Consultants.

The MSGC is headed by Sam Lickliger, president, and Randy Scherr, secretary, and is organized as a nonpartisan, not for profit entity which supports education, regulation and compliance training for professionals engaged in the profession of serving clients as governmental consultants. Any public or media communications should be directed to MSGC, while any communications or questions from MEC should be directed to the undersigned.

Thank you for your prompt attention to processing and investigating this complaint.

Sincerely,

CARVER & MICHAEL, LLC



Michael A. Dallmeyer
mike@carvermichael.net

MAD/ts



OFFICIAL COMPLAINT FORM

Missouri Ethics Commission
PO Box 1370
Jefferson City, MO 65102-1370

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5) The conflict of interest laws contained in sections 105.450 to 105.467 and section 171.181, RSMo; and
6) The provisions of the constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions.

This complaint shall contain all the facts known to the person bringing the complaint that give rise to the complaint.

This complaint shall be sworn to under penalty of the crime of perjury.

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PART 1 - PERSON BRINGING COMPLAINT:

NAME: Michael A. Dallmeyer, Attorney DATE OF COMPLAINT: November 4, 2014
ADDRESS: Carver & Michael LLC, 712 East Capitol Ave.
CITY: Jefferson City STATE: MO COUNTY: Cole ZIP: 65101
CONTACT PHONE NUMBER/S: (HOME) (WORK) 573-636-4215 (CELL)
TITLE OF OFFICE HELD OR SOUGHT (IF APPLICABLE): N/A

PART 2 - ORGANIZATION OR CAMPAIGN COMMITTEE AND INDIVIDUAL(S) OR POSITION(S) AGAINST WHOM

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TITLE OF OFFICE HELD OR SOUGHT (IF APPLICABLE): N/A
DATE OF ELECTION (IF APPLICABLE): CHECK ELECTION TYPE (IF APPLICABLE):
Primary General

VERIFICATION BY OATH OR AFFIRMATION

STATE OF MISSOURI
COUNTY OF Cole

I, Michael A. Dallmeyer, being duly sworn upon oath and affirmation legally administered, certify under penalty of perjury that the foregoing information in this complaint is complete, true, and correct, to the best of my knowledge and belief.

Signature of Michael A. Dallmeyer
Signature of Complainant

Subscribed and sworn to before me this 4 day of November 2014.
THERESA M. SCHAEFER
Notary Public - Notary Seal
STATE OF MISSOURI Expires: 12-9-17
Cole County
Commission # 13452968
My Commission Expires: 12-09-2017

Signature of Theresa M. Schaefer
Notary Public

PART 3 STATEMENT OF FACTS:

State in your own words the detailed facts and the actions of the candidate or organization named in part two which prompted you to make this complaint. The space provided below is not intended to limit your statement of facts. Please use additional sheets if necessary. Include relevant dates and times, and the names and addresses of other persons whom you believe have knowledge of the facts and attach hereto copies of any documentary evidence that supports the facts alleged in the complaint.

Please check the box next to the area that the complaint concerns.

- 1. The requirements imposed on lobbyists by sections 105.470 to 105.478.
- 2. The financial interest disclosure requirements contained in sections 105.483 to 105.492.
- 3. The campaign finance disclosure requirements contained in chapter 130, RSMo.
- 4. Any code of conduct promulgated by any department, division or agency of state government, or by state institution of higher education, or by executive order.
- 5. The conflict of interest laws contained in sections 105.450 to 105.467 and section 171.181, RSMo.
- 6. The provisions of the constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions.

PLEASE STATE THE FACTS BELOW:

See Attached

YES Are any of the matters alleged by you the subject of civil or criminal litigation? If yes, please provide
 NO the county and case number if known by you. _____

PART: STATEMENT OF FACTS

On Aug. 4, 2000, Ron Calzone incorporated Missouri First, Inc. as a Missouri Non-profit. (Exhibit A) Mr. Calzone has for 14 years presented himself as representing "Missouri First". He has served as President and /or Secretary/Member of the Board for all of those 14 years. (Exhibit B)

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When testifying he consistently identifies himself as a director of Missouri First, and then declares that he is not a registered lobbyist, and doesn't need to be because he does not get paid.

Because of these activities over the past 14 years, where Mr. Calzone has designated himself to act on behalf of Missouri First, the organization he created, he meets the definition of "legislative Lobbyist" as defined in 105.470 (4)(c) and has for 14 years failed to register as a Lobbyist as required by 105.473. Further section 105.473 .3(1) (RSMo) states the "During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month." Failure to file such reports subjects the individual to a ten dollar a day late fee. Mr. Calzone has failed to file a monthly lobbyist report for over fourteen years.

EXHIBIT C

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25		

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	* Premarked by counsel	
20		
21		
22		
23		
24		
25		

1 **by Head Start?**

2 A. No.

3 **Q. So you mentioned that you're aware of other**
4 **lobbyists who take unpaid clients. Correct?**

5 A. In conversations with other lobbyists or in
6 their testimony they may say we're representing this
7 entity pro bono, or they'll tell us -- you know, we all
8 talk to everybody, and we -- once in a while somebody
9 will say, yeah, we're doing this one pro bono.

10 MR. DICKERSON: In that case I'd like to
11 strike his testimony on other lobbyists as hearsay.

12 THE WITNESS: Sure. I'm sorry.

13 CHAIR WEEDMAN: We'll take such testimony for
14 what it's worth.

15 BY MR. DICKERSON:

16 **Q. Can you give me any examples of these**
17 **individuals that you've spoken with who have made these**
18 **representations to you?**

19 A. Not right off the top of my head.

20 **Q. When did you first become aware of complaints**
21 **in this matter?**

22 A. It was -- the Complaint was -- as you well
23 know. I mean, you have a copy. The Complaint was
24 filed --

25 **Q. I do.**

1 A. -- by the association.

2 Q. So you understand the association and not
3 Mr. -- I believe his name is Dallmeyer -- to have been
4 complaining?

5 A. He's the attorney --

6 MR. STOKES: Objection as to relevance.

7 MR. DICKERSON: The relevance is it's an
8 unlawful complaint. It's not filed by a natural person.

9 CHAIR WEEDMAN: It's relevant.

10 If you understand the question, Mr. Scherr,
11 you can answer it.

12 BY MR. DICKERSON:

13 Q. You understood the society to be the
14 complainant in this case?

15 A. The society motivated the Complaint and had
16 it filed by Mr. Dallmeyer.

17 Q. Was the official action taken by the society
18 to bring about the filing of the Complaint?

19 A. Yes, sir.

20 Q. Were you involved in those deliberations?

21 A. I was the secretary, sir, and took the
22 record.

23 Q. Did the society consult with any outside
24 groups in deciding to file the Complaint?

25 A. No, not -- not to my knowledge.

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CERTIFICATE OF REPORTER

I, Patricia A. Stewart, CCR, a Certified Court Reporter in the State of Missouri, do hereby certify that the testimony that appears in the foregoing transcript was taken by me to the best of my ability and thereafter reduced to typewriting by me; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Patricia A. Stewart

CCR No. 401

EXHIBIT D



MISSOURI ETHICS COMMISSION

P.O. Box 1370

Jefferson City, MO 65102

www.mec.mo.gov

(573) 751-2020 / (800) 392-8660

James Klahr
Executive Director

September 11, 2015

Allen Dickerson
Center for Competitive Politics
124 S. West St., Suite 201
Alexandria VA 22314

RE: 14-0005-I

Dear Mr. Dickerson:

Please find attached the Missouri Ethics Commission's Findings of Fact, Conclusions of Law and Order filed in the above referenced case.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Klahr".

James Klahr
Executive Director

Enclosure

Filed
SEP 11 2015
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
 Petitioner,)
)
v.)
)
RON CALZONE,)
)
 Respondent.)

Case No. 14-0005-I

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER**

This is the decision and order of the Missouri Ethics Commission following a hearing on a complaint filed by Petitioner by and through counsel, pursuant to Section 105.961, RSMo, and Chapter 536, RSMo. The hearing was conducted before the following members of the Missouri Ethics Commission: Charles Weedman, John Munich, Bill Deeken, Eric Dirks, Nancy Hagan, and Bill Stoltz.

A closed hearing took place on Thursday, September 3, 2015, at the offices of the Missouri Ethics Commission at 3411A Knipp Drive, Jefferson City, Missouri 65109. The Commission was represented by attorney Curt Stokes. Respondent Calzone appeared in person with counsel, Allen Dickerson and David E. Roland.

The Commission admitted into evidence Petitioner's Exhibits 1 (with the exception of pages 13 through 19), 2, 3, 4, 6, 7 and 8; testimony of Randy Scherr, Secretary, Missouri Society of Governmental Consultants; Della Luaders, Senior Field Investigator; Betsy Byers, Director of Business Services; and Ron Calzone, Respondent and Respondent's Exhibit 9. Respondent Calzone exercised his Fifth Amendment privilege against self-incrimination when called to

testify. Having considered all the competent and substantial evidence upon the whole record, the Commission finds by a vote of 6-0 as follows:

FINDINGS OF FACT

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 105, RSMo.

2. Respondent Calzone is an incorporator and director of Missouri First, Inc.

3. Respondent Calzone is the President, Secretary, and registered agent of Missouri First, Inc.

4. Missouri First, Inc. is a non-profit, public benefit corporation formed in or around 2006, and registered with the Missouri Secretary of State.

5. Pursuant to Section 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

6. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

7. Missouri First, Inc., asks Missourians to join its organization on its website, stating:

By joining Missouri First, you place your name and influence on the *right* side of issues affecting Missourians. The old saying, "there is strength in numbers" holds true, especially when lobbying Missouri House and Senate members. You may be certain that Missouri First is working hard to represent your values in the

issues that touch your life All we ask is that you agree with the principles outlined in our Charter and fill out the form below We ask this form to be completed that we may better keep you informed on Missouri issues, and to bolster our [your] clout when fighting the war for sovereignty.

A copy of this page from the website for Missouri First, Inc., is included at Appendix 1.

8. The Charter for Missouri First, Inc., states as follows:

Missouri First will give priority to educating and mobilizing the public to meet our objectives. Media advertising, public oratory, informational seminars, legislative lobbying, and citizen involvement may be used to teach or to influence public policy Missouri First will campaign for legislative and ballot issues, as well as specific candidates who further our stated objectives, but will not lobby or campaign for a particular political party.

A copy of this page from the website for Missouri First, Inc., is included at Appendix 1.

9. Missouri First, Inc., invites Missourians to fill out “witness forms” on its website, permitting an individual to identify a particular piece of legislation, whether he or she supports or opposes it, and to record his or her comments regarding the legislation. Missouri First, Inc., states that it will present all witness forms to the appropriate committee of the Missouri General Assembly.

10. Since 2013, Respondent Calzone has been designated by the actions of Missouri First, Inc., and its constituent members for the purpose of attempting to influence official action on the bills, resolutions, amendments, and other matters, when Respondent Calzone, acting

consistent with the purpose of Missouri First, Inc., and its members, met with legislators and legislators' staff to support or oppose matters pending before the Missouri Legislature, testified in opposition or support of matters pending before the Missouri Legislature, submitted witness forms as requested by individuals who provided those forms to Respondent Calzone through Missouri First, Inc., and by appearing as a witness before committees of the Missouri Legislature for the purpose of representing the interests of Missouri First, Inc., and its members.

11. The Commission heard testimony that Respondent Calzone has been seen in the Missouri House and Missouri Senate, particularly on the third and fourth floors of the Missouri Capitol, where most legislators' offices are located, and has been seen meeting with legislators individually in their offices.

12. Ms. Luaders, the Ethics Commission's investigator, testified that Respondent Calzone told her that he met with legislators individually, outside of committee hearings, to discuss legislation and policy, and that Respondent Calzone described Missouri First, Inc., as a think tank made up of like-minded individuals who mostly dealt with politics and spent a lot of time commenting on legislation and public policy.

13. Ms. Luaders testified that Respondent Calzone told her that he "clearly lobbied," but felt that he did not fall within the definition of legislative lobbyist.

14. Ms. Luaders testified that Mr. Calzone stated that he was aware that people complained to Respondent Calzone and had voiced opinions that Respondent Calzone should be registered as a lobbyist.

15. Respondent Calzone appeared before legislative committees of the Missouri House and the Missouri Senate, identifying himself as appearing on behalf of Missouri First, Inc.

16. The witness appearance forms before the Missouri House, required by Section 105.473.2, and the Hearing Minutes before the Missouri Senate, are included in Appendix 2.

17. Respondent Calzone appeared before the General Laws Committee of the Missouri House on March 6, 2013, on behalf of Missouri First, Inc., regarding HB 436.

18. Respondent Calzone appeared before the General Laws Committee of the Missouri Senate on March 12, 2013, on behalf of Missouri First, Inc., regarding SB 325.

19. Respondent Calzone appeared before the Health Care Policy Committee of the Missouri House on March 12, 2013, on behalf of Missouri First, Inc., regarding HJR 19.

20. Respondent Calzone appeared before the General Laws Committee of the Missouri Senate on January 28, 2014, on behalf of Missouri First, Inc., regarding SB 613.

21. In taking the actions to influence official action on legislation as alleged above, Respondent Calzone acted on behalf of Missouri First, Inc., and its members, as stated on the website for Missouri First, Inc.

22. In taking the actions to influence official action on legislation as alleged above, Respondent Calzone has acted consistent with the Charter for Missouri First, Inc., which states that “legislative lobbying . . . may be used to teach or to influence public policy.” A copy of this page from the website for Missouri First, Inc., is attached hereto as Appendix 1.

CONCLUSIONS OF LAW

23. A Missouri lobbyist shall “not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission.” § 105.473.1, RSMo.

24. The registration form “shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed *or in whose interest such lobbyist appears* or works.” § 105.473.1, RSMo (emphasis added); *see also* Missouri Ethics Commission Opinion 1994.06.113 (“...that principal being the person by who is employed or in whose interest he appears or works.”); Missouri Ethics Commission Opinion 1995.03.114; Missouri Ethics Commission Opinion 1998.01.101.

25. In addition, “[e]ach person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears.” §105.473.2, RSMo.

26. Lobbyists must regularly file monthly reports disclosing expenditures by the lobbyist or lobbyist principals made on behalf of all public officials. § 105.473.3, RSMo.

27. Twice per year, lobbyists must provide to the Ethics Commission a “general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed.” § 105.473.12, RSMo.

28. A “lobbyist” is “any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist.” § 105.470(6), RSMo.

29. A “legislative lobbyist” is any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or

in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

- (a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or
- (b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or
- (c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or
- (d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity. . . .

§ 105.470(5), RSMo.

30. The term “designate” is defined by *Webster’s Third New International Dictionary* as “to make known directly as if by sign; to distinguish as to class; Specify, stipulate; to declare to be; to name esp. to a post or function.” WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY 612 (1986). “Designate may apply to choosing or detailing a person or group for a certain post by a person or group having power or right to choose.” *Id.*

31. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person *solely* due to such person's participation in any of the following activities:

- a. Responding to any request for information made by any public official or employee of the legislative branch of government;
- b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;
- c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;
- d. Testifying as a witness before the general assembly or any committee thereof;

§ 105.470(5), RSMo (emphasis added).

32. The term "lobbyist principal" means "any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist." § 105.470(7), RSMo. The term "employ" means "To make use of the services of; to give employment to; to entrust with some duty or behest..." WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY (1986); *see also State v. Rhoads*, 399 S.W. 3d 905, 907 n.1 (for purposes of the Missouri Constitution's prohibition against nepotism, the court notes "that the Constitution does not even make an exception for a public official who appoints a relative to employment and the relative receives no pay for the services.").

33. There is probable cause to believe that Respondent Calzone violated Sections 105.473.1 and 105.473.2, RSMo, when during 2013 and 2014 he did not register as a lobbyist and did not file regular lobbyist disclosure reports with the Missouri Ethics Commission after he attempted to influence official action on matters pending before the Missouri Legislature in 2013 and 2014, and while doing so acted on behalf of Missouri First, Inc. and its members, as a regular pattern of conduct and consistent with a Charter purpose of Missouri First, Inc., and that Respondent Calzone knowingly did not register as a lobbyist.

ORDER

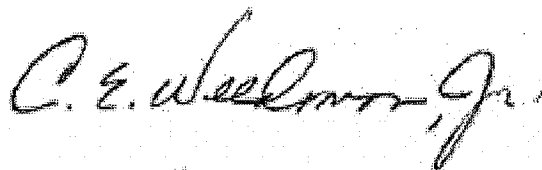
The Missouri Ethics Commission finds probable cause that Respondent Calzone violated, and has knowingly violated, Sections 105.473.1 and 105.473.2, RSMo.

The Commission orders Respondent Calzone to register as a lobbyist and to file accurately all necessary lobbyist expenditure disclosure reports pursuant to Sections 105.961.4(2) and 105.961.5(3), RSMo.

The Commission orders Respondent Calzone to cease and desist from acting to attempt to influence any pending or potential legislation on behalf of Missouri First, Inc., or any other person, until filing an annual lobbyist registration report and filing all necessary lobbyist expenditure disclosure reports pursuant to Sections 105.961.4(1) and 105.961.5(1), RSMo.

The Missouri Ethics Commission further orders a fee be imposed against Respondent Calzone in the amount of \$1,000 pursuant to Section 105.961.4(6), RSMo.

SO ORDERED this 11th day of September, 2015.



Charles E. Weedman, Jr., Chair
MISSOURI ETHICS COMMISSION

Appendix 1

To Findings of Fact, Conclusions of Law, and Order



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Charter
Essays
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Join

Ron Calzone explains what a "constitutional republic" is at the Day of Discovery in Hannibal, MO May 8, 2010.

Eminent Domain - also at the Day of Discovery in Hannibal, MO May 8, 2010.

Conclusion and efforts to preserve the people's reserved power to the petition process.

Witness Form

Dedicated to the Sovereignty of Missourians

By Ron Calzone



Dedicated to the Sovereignty of Missourians



Charter

Statement of Purpose

Because we recognize man's dependence on God, **Missouri First** concurs with the Missouri State Constitution, which says, "*We the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness, do establish this constitution. for the better government of the state.*"

Missouri First recognizes that "*Rugged individualism, buffered by a Godly concern for others*", is the essence of our state's character. Sovereignty is essential if we are to preserve this character.

Because we recognize that there exists a multiplicity of values, characters, and aspirations among these great united states, as well as the rest of the world, and that not all are congruent with those of Missourians, **Missouri First** seeks to assert and defend the appropriate sovereignty of Missourians. **Missouri First** maintains that the people of Missouri retain all rights of sovereignty, except those they have expressly delegated to the Federal Government in accordance with the original intent of the US Constitution of 1787 and the state of Missouri in her Constitution.

Missouri First affirms that Missouri is not a universal state and that mankind has no claim to her; that to be a Missourian is to first love her hills and mountains, fields and forests, streams and rivers, towns and cities, to cherish her history and traditions, and to share common memories with her people. To be a Missourian is to love liberty. **Missouri First** asserts that these Missourians are the heirs of this land, and they will determine for themselves what course she will take.

Scope of Operation

Because there are issues on the international, national, state, and local levels which can impact the sovereignty of Missourians, there are no particular limits to the scope of operation of **Missouri First** as long as the issues being dealt with are in compliance with the intent and the spirit of this charter.

Missouri First does not trod the well traveled roads, but rather seeks out the rugged, long forgotten paths which lead back to the founding principles of our land. Consequently, **Missouri First** prefers to deal with the issues neglected by others, but will work in the areas where it can make the most difference.

Methods of Operation

Missouri First will give priority to educating and mobilizing the public to meet our objectives. Media advertising, public oratory, informational seminars, legislative lobbying, and citizen involvement may be used to teach or to influence public policy. Realizing that our children represent our future, **Missouri First** will work with public, private, and home

schools.

Missouri First will campaign for legislative and ballot issues, as well as specific candidates who further our stated objectives, but will not lobby or campaign for a particular political party.

Guiding Principles

Whereas:

- This union of states was originally founded upon Christian principles...
- The role of the Federal government is limited to those powers specifically delegated to it by the U.S. Constitution and "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."...
- The Federal Government has entangled the nation in unwholesome international relationships...
- The Federal Government has usurped the sovereign, constitutional rights of the States and individual citizens...
- In an affront to the liberty of Missourians, and in contradiction to the original intent of the Constitution, the Federal Government has directly levied taxes on citizens...
- The State government has usurped the rights of local entities and individual citizens...
- The specific role of state and local governments is to do those things of common interest which can not be done or can not be practically done by individuals. Citizens should be most affected by the governmental body nearest them, since it is most easily held accountable...
- Citizens and businesses are overtaxed, thus inhibiting the proper exercise of individual liberty and responsibility...
- Our ideals and character are being diluted and corrupted...
- The express God-ordained purpose of government is to be "a minister of God to you for good" and to act as "an avenger who brings wrath upon the one who practices evil". (ROM 13:4) **Justice is expected by God...**

Therefore Missouri First will:

- Teach about the Christian and Constitutional heritage of this nation and dispel the false notions about 'separation of church and state' and the authority of the Federal government over Missouri's handling of religious matters.
- Work against unwholesome international relationships and promote state, local, and individual sovereignty so local residents can establish public policy that promotes local values without interference from outside influences.
- Promote proper application of the Bill of Rights.

- Cultivate a demand for public policy which will promote **Missouri First's** Goals.

Membership

Membership is available by invitation by the Board to Missourians.

Honorary membership is available to non-Missourians by invitation of the Board.

Special Advisor to the Board affiliation is available to Missourians and non-Missourians by invitation of the Board.

Special Spokesman for the Board status is available by invitation of the Board.

Organization

- Missouri First will be governed by the Board of Directors within the constraints of this charter.
- Normal operational decisions will be decided upon by a simple majority vote, but a conviction objection by one or more board members will nullify the decision.
- Changes to the charter will be only upon unanimous consent of the Board.
- Removal of any Board member may be accomplished by unanimous consent of the remaining Board members.
- Addition of new Board members may be accomplished by unanimous consent of the existing Board members up to a maximum of seven members..
- Removal of any member may be accomplished by unanimous consent of the Board.

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info@mofirst.org

www.mofirst.org

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Ron Calzone explains what a "constitutional republic" is at the Day of Discovery in Hannibal, MO May 8, 2010.

Eminent Domain - also at the Day of Discovery in Hannibal, MO May 8, 2010.

Conclusion and efforts to preserve the people's reserved power to the petition process...

MISSOURI FIRST

Dedicated to the Sovereignty of Missourians

MO REPUBLICANS



Join Missouri First!

Why Join? - By joining Missouri First, you place your name and influence on the *right* side of issues affecting Missourians. The old saying, "there is strength in numbers" holds true, especially when lobbying Missouri House and Senate members. You may be certain that Missouri First is working hard to represent your values in the issues that touch your life.

Aren't there enough organizations fighting the same battle? - Although there are a number of organizations we are in sympathy with, and although they are performing essential functions, they are typically not focused on sovereignty issues alone. It is our intention to focus on the *root* of the problem. We want to work in conjunction with these organizations by helping them to deal with their issues through the assertion of sovereignty.

What is Asked of Me? - All we ask is that you agree with the principles outlined in our Charter and fill out the form below. Missouri First assures you that we take your personal information seriously and under no circumstances will this information be sold, traded, or used in some commercial endeavor. We ask this form to be completed that we may better keep you informed on Missouri issues, and to bolster our [your] clout when fighting the war for sovereignty.

How Much Does it Cost? - Nothing. There are no dues in Missouri First. Of course, we do accept donations to keep our operation running, and we may - from time to time - ask for funds for special projects [which you will *never* be obligated to provide.] Your act of membership is worth more than money can represent, and you will always be valued for your association with Missouri First.

What's in it for me? - In addition to the satisfaction of knowing that you are adding to the numbers of Missourians who demand freedom, we will include you in our email list so you can stay informed about the efforts to that end. And, if you like, we will invite you to participate in events and efforts of Missouri First; we can become an outlet for your special talents.

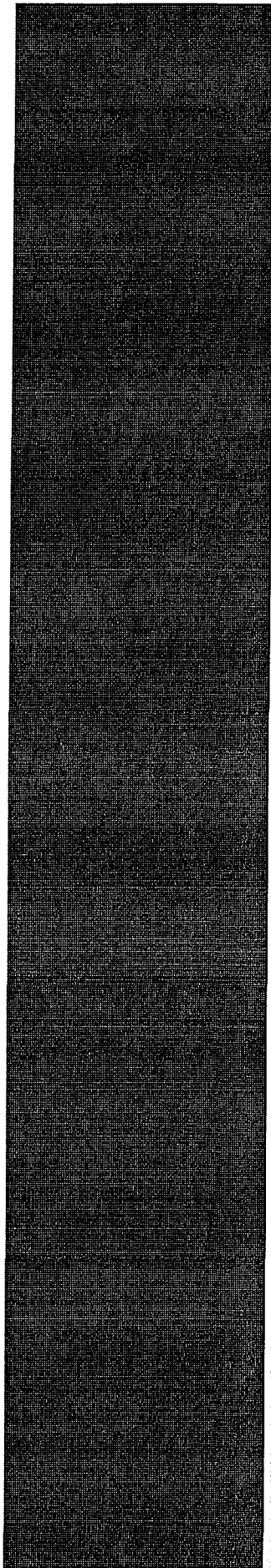
To join, simply fill out this form and click the **Submit** button.

Please use the name and address for which are are registered to vote. That will allow us to look up you legislative districts and keep you informed about your own state Rep and Senator.

(* indicates a required field)

First
Name: *

Last
Name: *



Address1: *

Address2:

City: *

State: *

Zip: *

Phone:

Fax:

Email: *

Please list any special talents or resources at your disposal that might be available to assist our cause.

Resources:

Comments:

Where did you hear about Missouri First?

Source:

To prevent automated submissions, please answer:

What's 5 plus 5?

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Appendix 2

To Findings of Fact, Conclusions of Law, and Order



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE

PLEASE PRINT OR TYPE

<input checked="" type="checkbox"/> HOUSE <input type="checkbox"/> SENATE	DATE March 6, 2013
	COMMITTEE General Laws
	BILL NUMBER HB 436 -- Second Amendment Preservation Act

WITNESS INFORMATION

NAME OF WITNESS
Ron J Calzone

HOME ADDRESS
33867 HWY. E

CITY Dixon	STATE MO	ZIP 65459
---------------	-------------	--------------

HOME PHONE NUMBER
(573) 368-1344

BUSINESS ADDRESS

CITY	STATE	ZIP
------	-------	-----

BUSINESS PHONE NUMBER

SPEAKING (check one) FOR AGAINST OTHER Informational

ORGANIZATION INFORMATION

Government Agency, Person, Business, Lobbyist, or Organization, if any, on whose behalf I am appearing:
Missouri First, Inc.

TESTIMONY

If written testimony is not provided, please summarize very briefly the testimony to be presented.

Fidelity to the constitution of both Missouri and the United States requires that all parties involved strive to maintain the proper jurisdiction of the various polities. Failure to do so will result in corrupting centralization of power, diminished liberty, and eventual, but certain, disintegration of the union of the states.

The federal government was granted few and well-defined powers by the People of the several states, but it has long usurped the powers inherent in the People and reserved for them and the states, severally, by the Tenth Amendment to the U.S. Constitution.

Although we are a long-suffering people, the constant threats to the most basic right to self-protection has reached the limits of our patience. It is time to reclaim the powers belonging to the People and the states but never granted to the federal government. It is time for the People to bind, once again, the federal government they created with the chains of the Constitution. It is time for the People, acting through their nearest representatives in state government, to declare null and void the unconstitutional and extra-jurisdictional edicts from the federal government which infringe on the unalienable right to keep and bear arms.

Members of the Missouri General Assembly, who took an oath to defend the constitution of our state and of the United States, are DUTY BOUND to interpose on behalf of the People. HB 436 is the tool with which they can perform their duty.

THE INFORMATION ON THIS FORM IS PUBLIC INFORMATION UNDER CHAPTER 610 RSMO.

000070



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE

PLEASE PRINT OR TYPE

<input checked="" type="checkbox"/> HOUSE <input type="checkbox"/> SENATE	DATE March 12, 2013
	COMMITTEE Health Care Policy
	BILL NUMBER HJR 19 -- Health Care Freedom Amendment

WITNESS INFORMATION

NAME OF WITNESS Ron J Calzone		
HOME ADDRESS 33867 HWY. E		
CITY Dixon	STATE MO	ZIP 65459
HOME PHONE NUMBER (573) 368-1344		
BUSINESS ADDRESS		
CITY	STATE	ZIP
BUSINESS PHONE NUMBER		

SPEAKING (check one) FOR AGAINST OTHER Informational

ORGANIZATION INFORMATION

Government Agency, Person, Business, Lobbyist, or Organization, if any, on whose behalf I am appearing:

Missouri First

TESTIMONY

If written testimony is not provided, please summarize very briefly the testimony to be presented.

72% of Missouri voters expect the General Assembly to do more to protect them from Obamacare.

This amendment will force the courts to use a higher standard of review when citizens use the provisions of Prop C to defend their rights.

It is the duty of the General Assembly to at least allow the People of Missouri to adopt stronger constitutional protections.

THE INFORMATION ON THIS FORM IS PUBLIC INFORMATION UNDER CHAPTER 610 RSMO.

000004

SENATE COMMITTEE MINUTES

Bill No.: SB 325
Sponsor: Nieves
Hearing Date: 3/12/2013

COMMITTEE: General Laws	
CHAIRMAN: Nieves	
DATE REFERRED: 2/28/2013	DATE HEARING REQUESTED: 3/28/2013

STAFF:

Dave Bailey
Jim Ertle
Jessica Johnson

WITNESSES GIVING INFORMATION:

WITNESSES FOR:

Ron Calzone - Missouri First
Abram Messer - Mo Family Network
Michael Kilgus
Debra Kohl - Concerned Women for America
Bev Ehlen - Warren County Patriots
John-Paul Fagot
Marcus Baylis
Dan Sexson
Robert See
Timothy J. Bartin
Marilyn Bartin
John Bartin

WITNESSES AGAINST:

SENATE COMMITTEE MINUTES

Bill No.: SB 613
 Sponsor: Nieves
 Hearing Date: 1/28/2014

COMMITTEE: General Laws	
CHAIRMAN: Nieves	
DATE REFERRED: 1/16/2014	DATE HEARING REQUESTED: 1/16/2014

STAFF:

Dave Bailey
 Jim Ertle
 Heidi Geisbüler
 Jessica Johnson
 Courtney Lauer
 Dustin Schnieders

WITNESSES GIVING INFORMATION:

Jim Nichols - Citizen of MO

WITNESSES FOR:

John Carr - Citizen of MO
 James Higginbottan - Citizen of MO
 Tony Shephard - Abate
 Luke Daniel Shoemaker
 David Ermeling
 Ron Calzone - Missouri First
 Kenny Parks - Gun Rights Across America
 Richard Hagendorf - Second Amendment friends Group
 Mitchell Hubbard - Citizen of MO
 Frank Rice - Citizen of MO
 Michael Strait - Citizen of MO

WITNESSES AGAINST:

Robert Flood - Moms Demand Action
 Virginia Wasliuk Lay
 Dixi Buford - Moms Demand Action
 Melissa Brooks - Moms Demand Action
 Otto Fajen - NEA
 Sheldon Lineback - MO Police Chief Asso

EXHIBIT E

COPY

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BEFORE THE
ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

RON CALZONE,)
Petitioner,)
vs) Case No. 15-1450 EC
MISSOURI ETHICS COMMISSION,)
Respondent.) Oral Argument

Wednesday, February 3, 2016
Administrative Hearing Commission
Waintwright State Office Building
St. Louis, Missouri

BEFORE:

SREENIVASA RAO (SREENU) DANDAMUDI
Commissioner.

FILED

FEB 09 2016

ADMINISTRATIVE HEARING
COMMISSION

REPORTED BY (Telepresence):

Ginger R. Sommerer, CCR
Registered Professional Reporter

1 APPEARANCES:

2 For the Petitioner (in St. Louis):

3 ALLEN DICKERSON
4 Center for Competitive Politics
5 124 S. West St., Suite 201
6 Alexandria, VA 22314

7 DAVID E. ROLAND
8 Freedom Center of Missouri
9 P.O. Box 693
10 Mexico, MO 65265

11 For the Respondent (in Jefferson City):

12 CURTIS R. STOKES
13 ELIZABETH L. ZIEGLER
14 3411 A Knipp Drive
15 P.O. Box 1370
16 Jefferson City, MO 65109

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1 on behalf of his client. If his client was a natural
2 person, then I'd be inclined to agree with you. But here
3 the client is not a natural person, and therefore I'm
4 inclined to agree with the Petitioner.

5 Everything you said about the courts, including
6 this Administrative Hearing Commission, where a corporate
7 officer can file a complaint in a tax case, I understand
8 what you're saying. But specifically in this statute where
9 that client has to be a natural person, for this specific
10 case, this is why I've said what I've said.

11 And I'd rather -- unless you have actual case law
12 to state otherwise on that specific issue that a
13 corporation can be the same as a natural person, I'd rather
14 let you do what you do on appeal, and I'm going to side
15 with the Petitioner in this case.

16 MR. STOKES: I don't know if it's a legal issue.
17 I think it's a factual issue. I think the finding that
18 Dallmeyer is not a natural person is a reversible error. I
19 think Michael Dallmeyer is a natural person. What you're
20 really ruling on is that Mr. Dallmeyer was filing on behalf
21 of a nonnatural person.

22 Now, you did analogize, you know, if his client
23 was a natural person -- and let's say hypothetically
24 Mr. Dallmeyer files the complaint but doesn't sign and
25 notarize it, says I'm just filing this on behalf of my

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C E R T I F I C A T E

STATE OF MISSOURI }
 } SS
COUNTY OF COLE }

I, Ginger R. Sommerer, CCR, Registered Professional Reporter, and a Notary Public in and for the State of Missouri, do hereby certify that I am employed by the Administrative Hearing Commission of the State of Missouri to record verbatim, by machine shorthand, the proceedings herein and thereby am the official reporter for the Commission in this matter, that I was personally present at said hearing and reported said proceedings, and the machine shorthand notes so made at the time and place mentioned on the title page hereof were transcribed under my direction and supervision by means of computer-aided transcription, and that the foregoing pages constitute a true, complete, and accurate transcript of the digital recording and my said machine shorthand notes.

witness my hand and seal this 9th day of February 2016.

My Commission expires July 24, 2017.

Ginger R. Sommerer
Ginger R. Sommerer, CCR, RPR
Notary Public, State of Missouri
Commissioned in Cole County

GINGER R. SOMMERER
Notary Public - Notary Seal
STATE OF MISSOURI
County of Cole
My Commission Expires 7/24/2017
Commission #13524420

ADMINISTRATIVE HEARING COMMISSION

EXHIBIT F

